

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JUNELL MOBLEY,

Plaintiff,

Case No. 4:05-cv-153

v.

Hon. Wendell A. Miles

WILLIAM O. SMITH,

Defendant.

---

OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Plaintiff Junell Mobley filed this action without benefit of counsel pursuant to 42 U.S.C. § 1983. On June 13, 2008, Magistrate Judge Ellen S. Carmody issued a Report and Recommendation recommending that Defendants' Motion for Summary Judgment be granted.

The parties were advised of their right to file objections to the Report and Recommendation. The time for filing objections under Federal Rule of Civil Procedure 72(b) has expired, and no objections have been filed. When no objections have been filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the Magistrate Judge's recommendation. See Advisory Committee Notes to Federal Rule of Civil Procedure 72; Thomas v. Arn, 474 U.S. 140, 150 (1985) ("It does not appear that Congress intended to require district court review of a magistrate judge's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings").

The court has reviewed the Report and Recommendation, agrees with the reasoning and conclusions of Magistrate Judge Carmody, and finds no clear error.

Accordingly, the court ACCEPTS AND ADOPTS the Magistrate Judge's Report and

Recommendation (docket #157), and for the reasons set forth in the Report and  
Recommendation, GRANTS the Defendants' Motion for Summary Judgment (docket #149).

So ordered this 18th day of July, 2008.

/s/ Wendell A. Miles  
Wendell A. Miles  
Senior U.S. District Judge